REMARKS

In the Office Action, the Examiner noted that the title of the invention is not descriptive. In response, applicant has amended the title of the invention to properly describe the invention. The applicant apologizes for any inconvenience.

The Examiner then rejected Claims 1-3 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,371,664 to Takahashi et al. In response, applicant has amended the specification and Claims 1 and 2 and added new Claim 4. These amendments and new Claim 4 do not represent new matter and find support in the specification at, *inter alia*, Figure 6. Therefore, applicant respectfully requests removal of this ground of rejection.

More particularly, in regards to amended Claims 1 and 2, applicant avers that the claims as amended are not anticipated by Takahashi. In Takahashi, the optical fiber cable 25 is secured to the guide portion 21b and 22b of the case 21 and the cap 22 using the thermosetting resin 45 (Col. 13, lines 4-21; Col. 14, line 65 to col. 15, line 3; Fig. 4 and 6). Therefore, the optical fiber cable 25 is fixed strictly in the case 21, and there is no space between the optical fiber 25 and the guide portion 21b and 22b for the optical fiber to move freely.

Such a structure disclosed in Takahashi is the same as the structure described as prior art in the specification and Fig. 1 of the present application. Fig. 1 shows the optical element module 50 wherein the coated optical fiber 54 and 56 are fixed to the casing 51 by the adhesive fixing portion 58 and 59. The object of the present invention is to solve the problem caused by fixing the optical fiber to the casing.

In the invention according to amended Claim 1, the primary coated optical fiber 21 is not secured to the pipe 24 (Fig. 5, 6, 10, and 11). That is, the pipe 24 can be used in a loose structure in which the primary coated optical fiber is not bonded to the first rubber boot directly, thus the primary coated optical fiber can move freely inside the pipe. By making a loose contact between the primary coated optical fiber and the pipe, the invention according to amended Claims 1 and 2 makes it possible to provide an optical element module which has stable temperature characteristics even when the environmental temperature fluctuates.

With regards to Claim 3, the applicant respectfully disagrees with the Examiner's statement that Takahashi discloses all the limitations of the claimed invention. Takahashi makes it possible to seal off the gel material 6 in the cavity of internal space in the case 21 (with cap 22) by fixing the coated fiber 25 to the guide portion 21b and 22b, using the thermosetting resin 45.

However, Claim 3 is directed towards preventing the gel material from leaking out from the casing as well as to holding the pressure of the gel material constant by not bonding the primary coated optical fiber 21 to the pipe 24 and allowing the primary optical fiber 21 to move freely inside the pipe 24.

When the difference between the volume of the internal cavity of the optical element module of the present invention and the volume of the gel material is smaller than the volume of the space between the pipe 24 and the loose primary coated optical fiber 21 then even when environmental temperature fluctuates, the gel material is filled up to the space between the pipe 24 and the primary coated optical fiber 21. Therefore, the boundary line between the gel material and outside air stays at any point of the pipe 24 under all circumstances. When such setting is made, it is possible to hold the internal pressure of the gel material without any gel leaking out as well as to prevent air from leaking into the module, as described in the third embodiment in the specification.

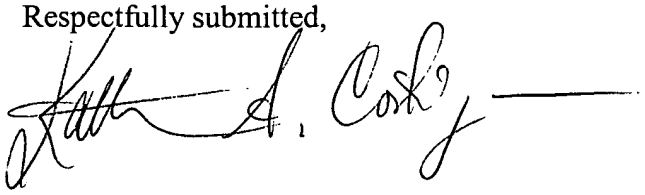
In Takahashi, the leakage of the gel material is prevented by sealing off the guide portion 21b and the coated optical fiber 25 using the thermosetting resin 45, but in the present invention, the leakage of the gel material is prevented by forming a loose structure inside the pipe 24.

Therefore, since Takahashi does not disclose all the technical features of the invention according to the amended Claims 1 and 2, Claim 3, and new Claim 4, the applicant respectfully requests removal of this ground of rejection.

In light of the foregoing applicant respectfully submits that that the claims of the present application are in proper form for allowance. Favorable consideration and early

allowance are therefore respectfully requested and earnestly solicited.

Respectfully submitted,



Kathleen A. Costigan
Reg. No. 56,006

MAILING ADDRESS
Hedman & Costigan, P.C.
1185 Avenue of the Americas
New York, NY 10036
(212) 302-8989